

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
N/S Warren Road, 150 ft. W
of Wilmar Place
206 Warren Road
8th Election District
3rd Councilmanic District
Margaret R. McMaster
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Section 402.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 17 ft. in lieu of the required 20 ft., and a minimum lot width of 70 ft. in lieu of the required 90 ft., as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section

307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 25 day of Dec., 1991 that the Petition for a Zoning Variance from Section 402.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 17 ft. in lieu of the required 20 ft., and a minimum lot width of 70 ft. in lieu of the required 90 ft., in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

887-4354

November 21, 1991

Ms. Margaret R. McMaster
206 Warren Road
Cockeysville, Maryland 21030

RE: Petition for Residential Zoning Variance
Case No. 92-153-A

Dear Ms. McMaster:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.
cc: Peoples Counsel

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

92-153-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

to permit a side yard setback of 17 feet, in lieu of the required 20 feet and a minimum lot width of 70 feet, in lieu of the required 90 feet and 90 feet respectively.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason(s) (Indicate hardship or practical difficulty)

See attached.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we am the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

Margaret R. McMaster

(Type or Print Name)

Signature

(Type or Print Name)

Signature

206 Warren Road 667-1326

Cockeysville, Maryland 21030

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Same as above

Name

Address

ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be posted on the property on or before the _____ day of _____, 19____.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19____, at _____ o'clock, _____ p.m.

ZONING COMMISSIONER OF BALTIMORE COUNTY

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 7th Date of Posting: 12/1/91
Posted for: 10 days
Petitioner: Margaret R. McMaster
Location of property: 206 Warren Road, Cockeysville, MD 21030
Location of Sign: 206 Warren Road, Cockeysville, MD 21030
Remarks: See attached
Posted by: LES:mmm Date of return: 12/1/91
Number of Signs: 10

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date: _____ Account: R001-4150
Number: _____

FEES
FOR POSTING VARIANCE: \$30.00
FOR POSTING SIGN: \$25.00
TOTAL: \$55.00

Please Make Check Payable To: Baltimore County
BA 001147410-04-91 \$60.00

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/are presently or upon retirement, does reside at
206 Warren Road, Cockeysville, Maryland 21030
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)
See attached.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Margaret R. McMaster
AFFIANT (Handwritten Signature)

AFFIANT (Handwritten Signature)

Margaret R. McMaster
AFFIANT (Printed Name)

AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21st day of April, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Margaret R. McMaster

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4/21/91
DATE

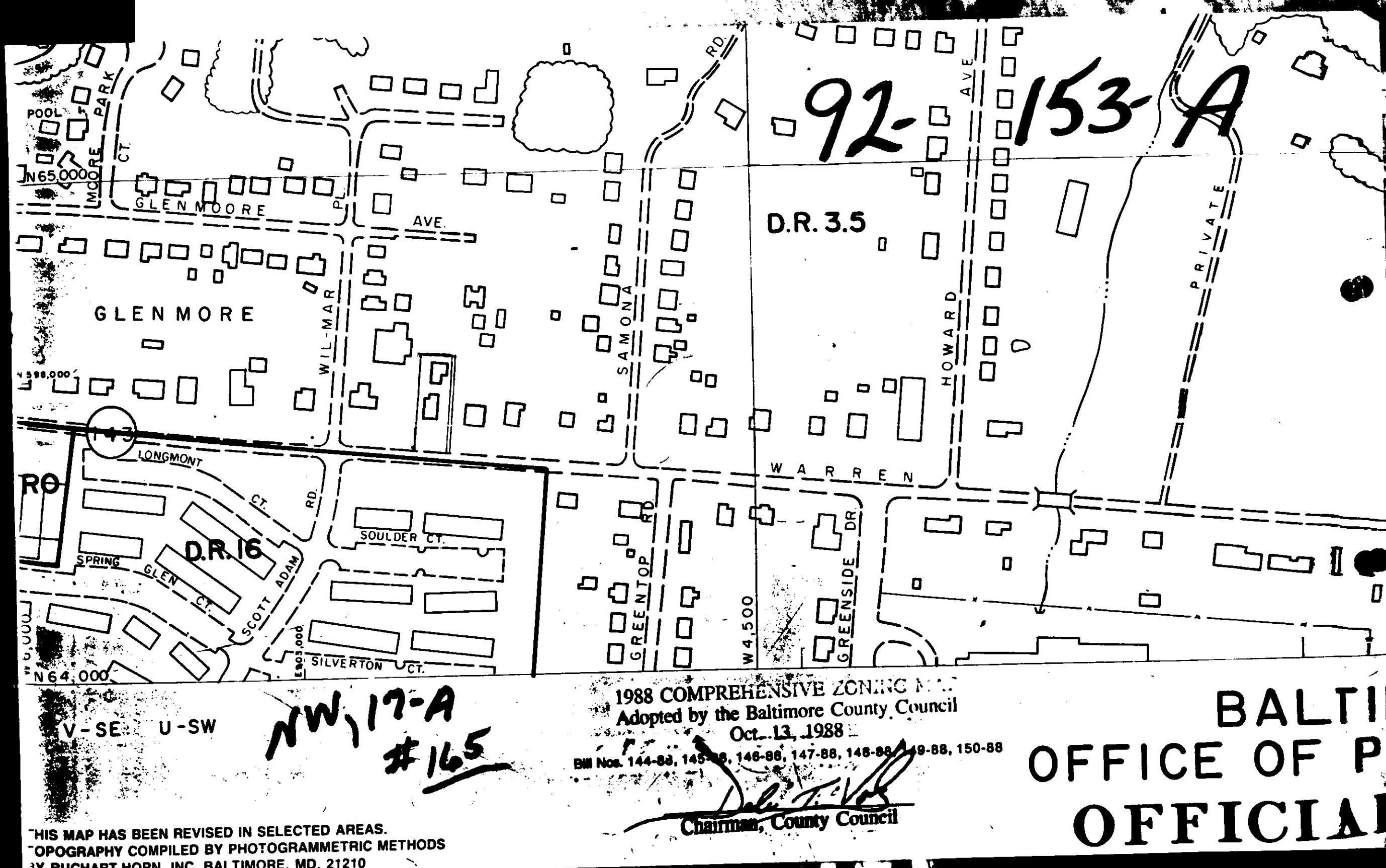
Margaret R. McMaster
NOTARY PUBLIC
My Commission Expires: 8/1/93

BEING KNOWN AND DESIGNATED as Lots Nos. 8 and 9, and the westernmost 20 feet of Lot No. 7, in Block B, as shown on the Plat of Glenmoore, which Plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 88.

THE IMPROVEMENTS thereon being known as No. 206 Warren Road. Lots Nos. 8 and 9 being the same property which by Deed dated June 30, 1936, and recorded among the Land Records of Baltimore County in Liber C.W.B., Jr. No. 979, folio 59, was granted and conveyed by John F. Roberts and Ada Roberts, his wife, to Elwood V. Lyon and Lily H. Lyon, his wife.

The westernmost 20 feet of Lot No. 7, being part of the property which by Deed dated April 17, 1943, and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1284, folio 292, was granted and conveyed by Gilbert Marshall Stover and Laura Helen Stover, his wife, to Elwood V. Lyon and Lily H. Lyon, his wife; the said Lily H. Lyon having heretofore departed this life on or about the 1st day of March, 1979; the said Elwood Vernon Lyon having heretofore departed this life on or about the 17th day of January, 1981, testate, and by his Last Will and Testament, dated April 11, 1980, appointed Elwood V. Lyon, Jr., Richard A. Lyon and Doris M. McLain Personal Representatives of his Estate. See Wills Liber P.J.B. No. 187, folio 459; Estate Docket No. 48, folio 87, Case No. 47647; the said Elwood Vernon Lyon also being known as Elwood V. Lyon.

92-153-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

92-153-A

SCALE 1" = 200'±	LOCATION COCKEYSVILLE	SHEET NW 17-A
DATE OF PHOTOGRAPHY JANUARY 1986		